



## **Consultation on reforms to social housing allocations**

G15 response

26 March 2024



## About the G15

The G15 is made up of London's leading housing associations. The G15's members provide more than 850,000 homes across the country, including around one in ten homes for Londoners. Delivering good quality safe homes for our residents is our number one priority. Last year our members invested almost £1.5bn in improvement works and repairs to people's homes, ensuring people can live well. Together, we are the largest providers of new affordable homes in London and a significant proportion of all affordable homes across England. It's what we were set up to do and what we're committed to achieving. We are independent, charitable organisations and all the money we make is reinvested in building more affordable homes and delivering services for our residents.

Find out more and see our latest updates on our website: [www.g15.london](http://www.g15.london)

The G15 members are:

- A2Dominion
- Clarion Housing Group
- The Guinness Partnership
- Hyde
- L&Q
- MTVH
- Sovereign Network Group
- Notting Hill Genesis
- Peabody
- Riverside
- Southern Housing

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The social housing sector is facing unprecedented pressures. There are over [1.2 million](#) people currently on social housing wait lists, over [279,000](#) adults and children living in temporary accommodation, and homelessness is continuing to rise, with [1 in 50](#) Londoners now without a home. The need for more good quality social homes, particularly in London, is acute.

In this context, G15 members are disappointed that the government has shifted its focus to allocations, and restricting the types of people who can access social housing. Simply disqualifying a broad range of people does not confront the root causes of the housing crisis. Ultimately, the shortage of available social homes is not due to the mismanagement of the way they are allocated, but rather stems from the significant shortfall in supply that has persisted for many years.

The headline measure in this consultation is a proposal to tighten requirements around applicants' connection to the UK. Government data from 2022-23 shows that [90%](#) of new social housing lettings went to UK nationals, 81% of whom were White British, which is in line with the demographic split in the general population. As such, we are unclear of the problem that this consultation is trying to solve.

Similarly, the evidence does not suggest that high earning social housing applicants are representative of the resident body as a whole. In 2022-23, the average household income for new social lets was [£290 per week](#), compared to [£622 per week](#) for the UK general population. In our view, the data provides a weak rationale supporting this policy proposal.

We agree that in times of scarcity, it is necessary to prioritise social homes to applicants most in need. However, we are concerned that the proposals take an inconsistent approach to prioritising need. Certain proposed exclusions target people who can be vulnerable, such as those with an insecure migration status or ASB perpetrators. For example, we know those who commit ASB often have unmet mental health needs. Similarly, members are concerned that the proposals contradict a required outcome of the new Consumer Standards that we must “deliver fair and equitable outcomes for tenants and, where relevant, prospective tenants” with regard to their diverse needs.

At present, allocation schemes permit local authorities a good deal of discretion over how they allocate their social housing stock whilst still aligning with statutory guidance. Local authorities will already consider someone's local connection to the area, any history of ASB and their connection to the UK before offering them a social home. There is also notable attention paid to need, with [over half \(51%\)](#) of new general needs lets being granted under a 'reasonable preference' category between 2022-23. Broadly, we consider the existing system to be adequate in ensuring that social housing is allocated to those most in need.

However, in centralising how allocations are managed, local authorities' discretion to make decisions that account for local needs is diminished. We are also concerned that the additional requirements may increase pressure on local authority resources, especially in the interim as they will need to re-assess all applicants currently on the waiting list for social housing. Local authorities are already under huge strain. [14 councils](#) recently reported that they are likely to issue a section 114 notice within the next financial year, and a further 74 councils forecast the same over the next five years. As such, we are concerned about the ability of our local authority partners to meet these demands.

Regarding the proposal to restrict access to certain nationalities or those with a long-term connection to the UK, members already comply with all 'right to rent' legislation.



Nonetheless, our members have [proud histories](#) of housing recent migrants to the UK and to this day, we support some of the UK's most diverse communities. We therefore believe it is vital that lessons from the Windrush Scandal are learned, and that the proposed approach does not exclude people who live in the UK legitimately but may not be able to produce documents to prove this.

There are major concerns from members about the data sharing and storage requirements that would need to be in place in order for these proposals to function as desired. At present, it can be difficult and time-consuming to obtain information from over-stretched public bodies. More enhanced checks on applicants could slow down the allocation process further. To operate efficiently, considerable improvement is required, which again may not be possible when accounting for the resource and funding scarcity across public services and local authorities.

G15 members are all supportive of robust action against those who cause deliberate and repeated harm in our communities, and we agree that social residents should not be any more at risk of ASB than someone living in any other tenure. We welcome the increased focus on tackling ASB and the renewed attention on a 'three strikes and you're out' eviction expectation.

We think landlords should be able to decide what constitutes a 'strike', with clear guidance available to support our decisions - the latter requires careful thought as to ensure the threshold is neither too high nor too low. The guidance should also enable ASB to be dealt with effectively and swiftly, so victims are not suffering for prolonged periods. We therefore ask that what constitutes a strike is aligned with legal thresholds so that discretionary possession claims can be processed through the courts more easily. Should the proposal in the Renters Reform Bill to lower the burden of proof for gaining possession for ASB from 'likely to cause' to 'capable of causing disturbance and annoyance' pass, the guidance should reflect this as well. Combined, these measures could improve outcomes for victims, our core goal.

Therefore, whilst we are generally supportive of the proposals, we feel that the use of a 'three strikes' protocol should remain at the landlord's discretion and not be mandated centrally. Eviction may not always be the right solution and in all cases should be used as a last resort. Similarly, there are concerns that the 'three strikes and you're out' strapline is misleading to residents and creates the impression that we are able to evict people faster than is practically feasible.

We also ask that greater consideration be given to the landscape in which these new proposals will sit within. At present, the courts are significantly overstretched, causing backlogs and delays in court proceedings. Similarly, underfunded public services have limited resources to support us in tackling ASB, with landlords increasingly expected to fill these gaps. Having well-resourced partner agencies and services is key in allowing us to effectively and efficiently manage ASB.

Members have a range of views on the proposed ASB disqualification. Some are supportive of this proposal and would like to see a disqualification of 5 years for those convicted or sanctioned of ASB, where it has been proven that the perpetrator has caused significant harm over a period of time. They also support checks being undertaken against all household members and not just the lead tenant. This is particularly welcomed where members are the main social provider in an area, as it is not uncommon for applicants to be re-nominated to them having previously been evicted from one of their homes due to ASB. In



these situations, landlords do not feel it is fair to risk their behaviour disrupting a new community.

Other members feel it would not be fair to implement a blanket disqualification, due to the multi-faceted nature of ASB. They feel that to disqualify individuals for extended periods of time, for actions that may not be reflective of their current behaviour or situation would not be reasonable or proportionate. There are also concerns that disqualification would push individuals into precarious situations and in the worst cases, homelessness. Therefore, some members prefer to follow a rehabilitative approach, working with applicants to understand their specific situation and needs, whilst always ensuring that existing residents are not put at risk. Where resources allow, a collaborative case by case assessment with partner agencies is preferable, but ultimately members emphasise the importance of thorough initial assessments and detailed information on applicants with a history of ASB from local authorities.

We welcome the proposed new grounds for eviction for terrorist offences, but we believe this should be a discretionary power that landlords can use when appropriate. We do not think it would be reasonable to automatically evict those with unspent convictions who are not causing any disruption to the local community, especially when we do not follow this practice for any other crimes. We would question the government's exclusive focus on terrorist offences, while overlooking other crimes that could affect public safety, for example, sexual offences.